

# EXHIBIT “A”

Electronically Issued  
12/22/2021 12:23 PM**DISTRICT COURT  
CLARK COUNTY, NEVADA**

SYRIAH REGAINS,

Plaintiff,

vs.

99 CENTS ONLY STORES, LLC. d/b/a 99  
CENTS ONLY, a foreign limited liability  
company; DOES I-X; and ROE  
CORPORATIONS I-X, inclusive,

Defendants.

CASE NO.: A-21-845791-C

DEPT. NO.:

**SUMMONS****99 CENTS ONLY STORES, LLC.****NOTICE! YOU HAVE BEEN SUED. THE COURT MAY DECIDE AGAINST YOU WITHOUT YOUR  
BEING HEARD UNLESS YOU RESPOND WITHIN 20 DAYS. READ THE INFORMATION BELOW.****TO THE DEFENDANT:** A civil Complaint has been filed by the plaintiff against you for the relief set forth in the  
Complaint.**99 CENTS ONLY STORES, LLC.**1) If you intend to defend this lawsuit, within 20 days after this Summons is served on you exclusive of the day of  
service, you must do the following:(1) File with the Clerk of this Court, whose address is shown below, a formal written response to the Complaint  
in accordance with the rules of the Court.

(2) Serve a copy of your response upon the attorney whose name and address is shown below.

2) Unless you respond, your default will be entered upon application of the plaintiff and this Court may enter a  
judgment against you for the relief demanded in the Complaint, which could result in the taking of money or property or other  
relief requested in the Complaint.3) If you intend to seek the advice of an attorney in this matter, you should do so promptly so that your response  
may be filed on time.4) The State of Nevada, its political subdivisions, agencies, officers, employees, board members, commission  
members and legislators each have 45 days after service of this Summons within which to file an Answer or other responsive  
pleading to the Complaint.

Issue at the direction of:

LAWRENCE RUIZ, ESQ.

Nevada Bar No. 11451

1055 Whitney Ranch Drive, Suite 110

Henderson, NV 89014

Telephone: (702) 850.1717

Attorney for Plaintiff

CLERK OF COURT

By: 

Deputy Clerk

Regional Justice Center

200 Lewis Ave.

Las Vegas, NV 89155

12/23/2021

Date

Demond Palmer

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Steven D. Grierson  
CLERK OF THE COURT



CASE NO: A-21-845791-C  
Department 15

1 **COMP**  
2 **LAWRENCE RUIZ, ESQ.**  
3 Nevada Bar No. 11451  
4 **RUIZ LAW FIRM**  
5 1055 Whitney Ranch Drive, Suite 110  
6 Henderson, NV 89014  
7 Phone: (702) 850.1717  
8 Fax: (702) 850.1716  
9 lawrence@lmruizlaw.com  
10 *Attorney for Plaintiff*

11 **DISTRICT COURT**  
12  
13 **CLARK COUNTY, NEVADA**

14 **SYRIAH REGAINS,**

15 Plaintiff,

16 vs.

17 99 CENTS ONLY STORES, LLC. d/b/a 99  
18 CENTS ONLY, a foreign limited liability  
19 company; DOES I-X; and ROE  
20 CORPORATIONS I-X, inclusive,

21 Defendants.

Case No.:  
Dept. No.:

22 **COMPLAINT**

23 Plaintiff, SYRIAH REGAINS, by and through her attorney of record, LAWRENCE RUIZ,  
24 ESQ. of the RUIZ LAW FIRM, and for her causes of action against the Defendants, and each of  
25 them, alleges as follows:

26 1. At all times relevant to these proceedings, Plaintiff SYRIAH REGAINS,  
27 ("Plaintiff"), is and was a resident of the County of Clark, State of Nevada.

28 2. At all times relevant to these proceedings, Defendant 99 CENTS ONLY STORES,  
LLC, d/b/a 99 CENTS ONLY ("Defendant 99"), is and was a foreign limited liability company and  
authorized to do business in the County of Clark, State of Nevada.

**RUIZ LAW FIRM**  
1055 Whitney Ranch Drive, Suite 110  
Henderson, NV 89014  
702.850.1717 / 702.850.1716 (fax)

**RUIZ LAW FIRM**  
 1055 Whitney Ranch Drive, Suite 110  
 Henderson, NV 89014  
 702.850.1717 / 702.850.1716 (fax)

3. That the true names and capacities, whether individual, corporate, associate or otherwise of Defendants named herein as DOES I through X and ROE CORPORATION I through X are unknown to Plaintiff who therefore, sues said Defendants by said fictitious names. Plaintiff is informed and believes and thereon alleges that each of the Defendants designated as DOES and ROE are employees, agents, or other individuals or entities responsible in some manner for the events and happenings referred to, specifically for creating, maintaining and/or allowing a hazardous condition to exist on The Defendant premises, improperly hired, trained, retained, and supervised employees, caused damages proximately to Plaintiff as herein alleged. Plaintiff will ask leave of this Court to amend her Complaint to insert the true names and capacities of DOES I through X and ROE CORPORATIONS I through X when the same have been ascertained and to join such Defendants in this action. DOES I through X and ROE CORPORATIONS I through X include, but are not limited to, employees, agents, contractors, vendors, and suppliers. At all times mentioned herein, each Defendant was acting as the agent, servant, and employee of each other Defendant. Such DOES and ROE CORPORATIONS include, but are not limited to, the predecessors and successors in interest of Defendants, as well any affiliates.

#### ALLEGATIONS COMMONS TO ALL CAUSES OF ACTION

4. Defendants were the record owner of property located at 1325 E. Flamingo Road, Las Vegas, Nevada, (the "Premises").

5. Plaintiff was a guest on the Premises and was invited onto the Premises by the Defendants.

6. On or about June 6, 2020, Plaintiff was shopping in the produce section on the Defendant's premises.

7. At said time and place, an employee, working within the course and scope of their employment with Defendant, placed a metal cart directly behind the Plaintiff.



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1055 Whitney Ranch Drive, Suite 110  
Henderson, NV 89014  
702.850.1717 / 702.850.1716 (fax)

1 expenses as the direct and proximate cause of Plaintiff's injuries.

2 20. Plaintiff has had to retain the services of an attorney to prosecute this action and is  
3 entitled to reasonable attorneys' fees and costs of suit incurred herein.

4 **SECOND CAUSE OF ACTION**

5 **(Negligent Hiring / Training / Supervision / Retention)**

6  
7 21. Plaintiff repeats and re-alleges every preceding paragraph as if fully set forth herein.

8 22. Defendant had a duty to exercise ordinary and reasonable care in the screening,  
9 training, supervision, and retention of their employees.

10 23. Defendant is required to ensure their employees are qualified and suitable to perform  
11 their duties in a manner so as to protect others from unreasonably risk of harm.

12 24. Defendant is required to provide their employees with the necessary supervision and  
13 training.

14 25. Defendant breached their duty by failing to adequately screen, hire, train and/or  
15 supervise its employees.

16 26. Defendant's negligence in the hiring, training, supervision, and retention of its  
17 employees was the actual and proximate cause of Plaintiff's injuries and damages.

18 27. Plaintiff has been forced to retain the services of an attorney to prosecute this action  
19 and is entitled to reasonable attorneys' fees and costs of suit incurred herein.

20 **THIRD CAUSE OF ACTION**

21 **(Doctrine Of Respondeat Superior)**

22 28. Plaintiff repeats and re-alleges each paragraph as if fully set forth herein.

23 29. Based upon information and belief, at all relevant times, DOES I through X were  
24 the agents and/or employees of Defendant.  
25  
26  
27  
28

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1 30. Does I through X were in the course and scope of their employment with  
2 Defendants.

3 31. Defendants are vicariously liable to Plaintiff for her injuries by virtue of the  
4 doctrine of respondeat superior.

5 32. As the direct and proximate cause of Defendant's negligence, Plaintiff suffered  
6 damages.

7 34. Plaintiff has had to retain the services of an attorney to prosecute this action and is  
8 entitled to reasonable attorneys' fees and costs of suit incurred herein.  
9

10 WHEREFORE, Plaintiff expressly reserving the right to amend her Complaint at the time of  
11 trial of the actions herein to include all items of damages not yet ascertained, demands judgment  
12 against Defendants, and each of them, as follows:  
13

- 14 1. General damages in an amount in excess of \$15,000;
- 15 2. Damages for costs of medical care and treatment and costs incidental thereto;
- 16 3. Reasonable attorneys' fees and costs of suit incurred herein;
- 17 4. Pre- and post-judgment interest; and
- 18 5. For such other and further relief as the Court may deem proper in the premises.  
19

20 DATED this 14 day of December, 2021.  
21

22 RUIZ LAW FIRM

23  #14370  
24 LAWRENCE RUIZ, ESQ.

25 Nevada Bar No. 11451

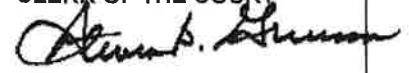
26 1055 Whitney Ranch Drive, Suite 110

27 Henderson, NV 89014

28 Attorneys for Plaintiff



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1 **ANS**  
2 **LEW BRANDON, JR., ESQ.**  
3 Nevada Bar No.: 5880  
4 **ANDREW GUZIK, ESQ.**  
5 Nevada Bar No. 12758  
6 **HOMERO GONZALEZ, ESQ.**  
7 Nevada Bar No. 15231  
8 **BRANDON | SMERBER LAW FIRM**  
9 139 East Warm Springs  
10 Las Vegas, Nevada 89119  
11 (702) 380-0007  
12 (702) 380-2964 – *facsimile*  
13 [l.brandon@bsnv.law](mailto:l.brandon@bsnv.law)  
14 [j.orr@bsnv.law](mailto:j.orr@bsnv.law)  
15 [a.guzik@bsnv.law](mailto:a.guzik@bsnv.law)  
16 *Attorneys for Defendant,*  
17 **99 CENTS ONLY STORES, LLC**  
18 *d/b/a 99 CENTS ONLY*

**DISTRICT COURT**

**CLARK COUNTY, NEVADA**

SYRIA REGAINS,

Plaintiff,

v.

99 CENTS ONLY STORES, LLC d/b/a 99  
CENTS ONLY, a foreign limited liability  
company; DOES I-X, and ROE  
CORPORATIONS I-X, inclusive,

Defendants.

CASE NO.: A-21-845791-C  
DEPT. NO.: 15

**DEFENDANT 99 CENTS ONLY STORES LLC d/b/a 99 CENTS ONLY'S ANSWER TO  
PLAINTIFF'S COMPLAINT**

COMES NOW, Defendant, 99 CENTS ONLY STORES LLC d/b/a 99 CENTS ONLY,  
by and through its attorneys, LEW BRANDON, JR., ESQ., ANDREW GUZIK, ESQ., and  
HOMERO GONZALEZ, ESQ., of BRANDON | SMERBER LAW FIRM, and hereby answers  
Plaintiff's Complaint on file herein as follows:

139 E. WARM SPRINGS RD.  
LAS VEGAS, NEVADA 89119  
T. 702.380.0007 | F. 702.380.2964

**BRANDON | SMERBER**  
**LAW FIRM**



Page 2 of 6

9. Answering Paragraphs 25, 26 and 27 of Plaintiff's Complaint on file herein, Defendant denies the allegations contained therein.

**(Doctrine of Respondeat Superior)**

11. Answering Paragraphs 29, 30 and 31 of Plaintiff's Complaint on file herein, Defendant is without sufficient knowledge or information to form a belief as to the truth or falsity of the said allegations and therefore denies same.

12. Answering Paragraphs 32, (sic 33) and 34 of Plaintiff's Complaint on file herein, Defendant denies the allegations contained therein.

## FIRST AFFIRMATIVE DEFENSE

Plaintiff's Complaint fails to state a claim against Defendant upon which relief can be granted.

Defendant alleges that at the time and place alleged in Plaintiff's Complaint, Plaintiff did not exercise ordinary care, caution or prudence for the protection of herself and any damages complained of by the Plaintiff in her Complaint, were directly or proximately caused or contributed to by the fault, failure to act, carelessness and negligence of Plaintiff.

**THIRD AFFIRMATIVE DEFENSE**

Defendant alleges that the Plaintiff assumed whatever risk or hazard existed at the time of this incident, if any there were, and was therefore responsible for the alleged damage suffered and further that the Plaintiff was guilty of negligence of her own acts which caused or contributed to by the fault, failure to act, carelessness or negligence of Plaintiff.

**FOURTH AFFIRMATIVE DEFENSE**

All the risks and dangers involved in the factual situation described in Plaintiff's Complaint, if any there were, were open, obvious and known to the Plaintiff and by reason thereof, Plaintiff assumed the risks and dangers inherent thereto.

**FIFTH AFFIRMATIVE DEFENSE**

Defendant alleges that the negligence of the Plaintiff exceeded that of the Defendant, and that the Plaintiff is thereby barred from recovery.

**SIXTH AFFIRMATIVE DEFENSE**

Pursuant to NRCP 11, as amended: All possible affirmative defenses may not have been alleged herein insofar as sufficient facts were not available after reasonable inquiry upon the filing of Defendant's Answer, and therefore, Defendant reserves the right to amend this Answer to allege additional affirmative defenses if subsequent investigation warrants.

**SEVENTH AFFIRMATIVE DEFENSE**

The damages sustained by Plaintiff, if any, were caused by the acts of third persons who were not agents, servants or employees of this answering Defendant and who were not acting on behalf of this answering Defendant in any manner or form and as such, this Defendant is not liable in any matter to the Plaintiff.

///

BRANDON | SMERBER  
LAW FIRM  
139 E. WARM SPRINGS RD.  
LAS VEGAS, NEVADA 89119  
T. 702.380.0007 | F. 702.380.2964

**EIGHTH AFFIRMATIVE DEFENSE**

Defendant at all times relevant to the allegations contained in Plaintiff's Complaint, acted with due care and circumspection in the performance of any and all duties imposed on it.

**NINTH AFFIRMATIVE DEFENSE**

That it has been necessary of the Defendant to employ the services of an attorney to defend the action and a reasonable sum should be allowed Defendant for attorney's fees, together with costs of suit incurred herein.

**TENTH AFFIRMATIVE DEFENSE**

Plaintiff has failed to mitigate her alleged damages, and, to the extent of such failure to mitigate any damages awarded to Plaintiff, should be reduced accordingly.

**ELEVENTH AFFIRMATIVE DEFENSE**

Plaintiff's claims are barred by applicable statutes of limitations.

**TWELFTH AFFIRMATIVE DEFENSE**

Defendant objects as to authentication, foundation and genuineness of all of Plaintiff's medical providers and documents listed or presented by Plaintiff.

WHEREFORE, Defendant, 99 CENTS ONLY STORES, LLC d/b/a 99 CENTS ONLY, prays as follows:

1. That Plaintiff take nothing by way of her Complaint on file herein;
2. For reasonable attorney's fees and costs of suit incurred herein; and

///

///

///

///

139 E. WARM SPRINGS RD.  
LAS VEGAS, NEVADA 89119  
T. 702.380.0007 | F. 702.380.2964

**BRANDON | SMERBER**  
LAW FIRM

3. For such other and further relief as the Court may deem just and proper in the premises.

DATED this 14<sup>th</sup> day of February, 2022.

**BRANDON | SMERBER LAW FIRM**

/s/ Lew Brandon, Jr., Esq.

**LEW BRANDON, JR., ESQ.**

Nevada Bar No. 5880

**ANDREW GUZIK, ESQ.**

Nevada Bar No. 12758

**HOMERO GONZALEZ, ESQ.**

Nevada Bar No. 15231

139 E. Warm Springs Road

Las Vegas, Nevada 89119

(702) 384-8424

(702) 384-6568 - *facsimile*

*Attorneys for Defendant,*

*99 CENTS ONLY STORES, LLC*

*d/b/a 99 CENTS ONLY*

**CERTIFICATE OF SERVICE**

Pursuant to NRCP 5(b), I hereby certify that on February 14, 2022, I served the foregoing

**DEFENDANT, 99 CENTS ONLY STORES LLC d/b/a 99 CENTS ONLY'S ANSWER TO**

**PLAINTIFF'S COMPLAINT** through the Court's ECF electronic filing system, upon the

following:

**LAWRENCE RUIZ, ESQ.**

Nevada Bar No. 11451

**RUIZ LAW FIRM**

1055 Whitney Ranch Drive, Suite 110

Henderson, NV 89014

(702) 850-1717

Facsimile: (702) 850-1716

[lawrence@lmruizlaw.com](mailto:lawrence@lmruizlaw.com)

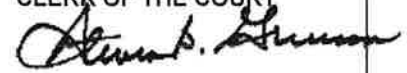
*Attorney for Plaintiff,*

*SYRIAH REGAINS*

/s/ Bonita Alexander

An Employee of **BRANDON | SMERBER LAW FIRM**

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1 **IAFD**  
2 **LEW BRANDON, JR., ESQ.**  
3 Nevada Bar No.: 5880  
4 **ANDREW GUZIK, ESQ.**  
5 Nevada Bar No. 12758  
6 **HOMERO GONZALEZ, ESQ.**  
7 Nevada Bar No. 15231  
8 **BRANDON | SMERBER LAW FIRM**  
9 139 East Warm Springs  
10 Las Vegas, Nevada 89119  
11 (702) 380-0007  
12 (702) 380-2964 – *facsimile*  
13 *l.brandon@bsnv.law*  
14 *a.guzik@bsnv.law*  
15 *h.gonzalez@bsnv.law*  
16 *Attorneys for Defendant,*  
17 **99 CENTS ONLY STORES, LLC**  
18 *d/b/a 99 CENTS ONLY*

12 **DISTRICT COURT**

13 **CLARK COUNTY, NEVADA**

14 SYRIAH REGAINS,

15 Plaintiff,

16 v.

17 99 CENTS ONLY STORES, LLC d/b/a 99  
18 CENTS ONLY, a foreign limited liability  
19 company; DOES I-X, and ROE  
20 CORPORATIONS I-X, inclusive,

21 Defendants.

CASE NO.: A-21-845791-C  
DEPT. NO.: 15

22 **INITIAL APPEARANCE FEE**  
23 **DISCLOSURE**  
24 **(NRS CHAPTER 19)**

25 Pursuant to NRS Chapter 19, as amended by Senate Bill 106, filing fees are submitted for  
26 parties appearing in the above-entitled action as indicated below:

27 Defendant 99 CENTS ONLY STORES, LLC  
28 d/b/a 99 CENTS ONLY..... \$223.00

///

139 E. WARM SPRINGS RD.  
LAS VEGAS, NEVADA 89119  
T. 702.380.0007 | F. 702.380.2964

**BRANDON | SMERBER**  
**LAW FIRM**

139 E. WARM SPRINGS RD.  
LAS VEGAS, NEVADA 89119  
T. 702.380.0007 | F. 702.380.2964

**BRANDON | SMERBER**  
LAW FIRM

**TOTAL REMITTED..... \$223.00**

DATED this 14<sup>th</sup> day of February, 2022.

**BRANDON | SMERBER LAW FIRM**

/s/ Lew Brandon, Jr., Esq.

**LEW BRANDON, JR., ESQ.**

Nevada Bar No. 5880

**ANDREW GUZIK, ESQ.**

Nevada Bar No. 12758

**HOMERO GONZALEZ, ESQ.**

Nevada Bar No. 15231

139 East Warm Springs Road

Las Vegas, Nevada 89119

*Attorneys for Defendant,*

*99 CENTS ONLY STORES, LLC*

*d/b/a 99 CENTS ONLY*

**CERTIFICATE OF SERVICE**

Pursuant to Nev. R. Civ. P. 5(b), I certify that on February 14, 2022, I served a true and correct copy of the foregoing **INITIAL APPEARANCE FEE DISCLOSURE (NRS CHAPTER 19)** through the Court's ECF electronic filing system, upon the following:

**LAWRENCE RUIZ, ESQ.**

Nevada Bar No. 11451

**RUIZ LAW FIRM**

1055 Whitney Ranch Drive, Suite 110

Henderson, NV 89014

(702) 850-1717

Facsimile: (702) 850-1716

[lawrence@lmruizlaw.com](mailto:lawrence@lmruizlaw.com)

*Attorney for Plaintiff,*

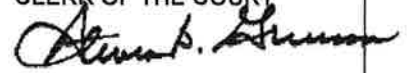
*SYRLAH REGAINS*

/s/ Bonita Alexander

An Employee of BRANDON | SMERBER LAW FIRM



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1 **DMJT**  
2 **LEW BRANDON, JR., ESQ.**  
3 Nevada Bar No.: 5880  
4 **ANDREW GUZIK, ESQ.**  
5 Nevada Bar No. 12758  
6 **HOMERO GONZALEZ, ESQ.**  
7 Nevada Bar No. 15231  
8 **BRANDON | SMERBER LAW FIRM**  
9 139 East Warm Springs  
10 Las Vegas, Nevada 89119  
11 (702) 380-0007  
12 (702) 380-2964 – *facsimile*  
13 *l.brandon@bsnv.law*  
14 *a.guzik@bsnv.law*  
15 *h.gonzalez@bsnv.law*  
16 *Attorneys for Defendant,*  
17 **99 CENTS ONLY STORES, LLC**  
18 *d/b/a 99 CENTS ONLY*

12 **DISTRICT COURT**

13 **CLARK COUNTY, NEVADA**

14 SYRIA REGAINS,

15 Plaintiff,

16 v.

17 99 CENTS ONLY STORES, LLC d/b/a 99  
18 CENTS ONLY, a foreign limited liability  
19 company; DOES I-X, and ROE  
20 CORPORATIONS I-X, inclusive,

21 Defendants.

CASE NO.: A-21-845791-C  
DEPT. NO.: 15

22 **DEMAND FOR JURY TRIAL**

23 COMES NOW, Defendant 99 CENTS ONLY STORES, LLC d/b/a 99 CENTS ONLY,  
24 by and through its attorneys of record, LEW BRANDON, JR., ESQ., ANDREW GUZIK, ESQ.,  
25 and HOMERO GONZALEZ, ESQ., of the BRANDON | SMERBER LAW FIRM, and hereby  
26

27 ///

28 ///

139 E. WARM SPRINGS RD.  
LAS VEGAS, NEVADA 89119  
T. 702.380.0007 | F. 702.380.2964

**BRANDON | SMERBER**  
**LAW FIRM**

139 E. WARM SPRINGS RD.  
LAS VEGAS, NEVADA 89119  
T. 702.380.0007 | F. 702.380.2964

**BRANDON | SMERBER**  
**LAW FIRM**

1 demands a Jury Trial in the above-entitled action.

2 DATED this 14<sup>th</sup> day of February, 2022.

3 **BRANDON | SMERBER LAW FIRM**

4 /s/ Lew Brandon, Jr., Esq.

5 **LEW BRANDON, JR., ESQ.**

6 Nevada Bar No. 5880

7 **ANDREW GUZIK, ESQ.**

8 Nevada Bar No. 12758

9 **HOMERO GONZALEZ, ESQ.**

10 Nevada Bar No. 15231

11 139 East Warm Springs Road

12 Las Vegas, Nevada 89119

13 *Attorneys for Defendant,*

14 *99 CENTS ONLY STORES, LLC*

15 *d/b/a 99 CENTS ONLY*

16 **CERTIFICATE OF SERVICE**

17 Pursuant to Nev. R. Civ. P. 5(b), I certify that on February 14, 2022, I served a true and  
18 correct copy of the foregoing **DEMAND FOR JURY TRIAL** through the Court's ECF electronic  
19 filing system, upon the following:

20 **LAWRENCE RUIZ, ESQ.**

21 Nevada Bar No. 11451

22 **RUIZ LAW FIRM**

23 1055 Whitney Ranch Drive, Suite 110

24 Henderson, NV 89014

25 (702) 850-1717

26 Facsimile: (702) 850-1716

27 [lawrence@lmruizlaw.com](mailto:lawrence@lmruizlaw.com)

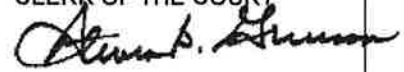
28 *Attorney for Plaintiff,*

*SYRIAH REGAINS*

/s/ Bonita Alexander

An Employee of BRANDON | SMERBER LAW FIRM

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1 CSRE  
2 LEW BRANDON, JR., ESQ.  
3 Nevada Bar No.: 5880  
4 ANDREW GUZIK, ESQ.  
5 Nevada Bar No. 12758  
6 HOMERO GONZALEZ, ESQ.  
7 Nevada Bar No. 15231  
8 BRANDON | SMERBER LAW FIRM  
9 139 East Warm Springs  
10 Las Vegas, Nevada 89119  
11 (702) 380-0007  
12 (702) 380-2964 – *facsimile*  
13 [l.brandon@bsnv.law](mailto:l.brandon@bsnv.law)  
14 [a.guzik@bsnv.law](mailto:a.guzik@bsnv.law)  
15 [h.gonzalez@bsnv.law](mailto:h.gonzalez@bsnv.law)  
16 *Attorneys for Defendant,*  
17 99 CENTS ONLY STORES, LLC  
18 d/b/a 99 CENTS ONLY

DISTRICT COURT

CLARK COUNTY, NEVADA

SYRIAH REGAINS,

Plaintiff,

v.

99 CENTS ONLY STORES, LLC d/b/a 99  
CENTS ONLY, a foreign limited liability  
company; DOES I-X, and ROE  
CORPORATIONS I-X, inclusive,

Defendants.

CASE NO.: A-21-845791-C  
DEPT. NO.: 15

**CONSENT TO SERVICE BY ELECTRONIC MEANS  
THROUGH E-FILING PROGRAM**

The undersigned parties hereby consent to service of documents by electronic means through the Court's E-filing program on behalf of the following parties: 99 CENTS ONLY STORES, LLC d/b/a 99 CENTS ONLY.

Documents served by electronic means must be transmitted to the following persons at the e-mail addresses listed: [l.brandon@bsnv.law](mailto:l.brandon@bsnv.law); [a.guzik@bsnv.law](mailto:a.guzik@bsnv.law); and [h.gonzalez@bsnv.law](mailto:h.gonzalez@bsnv.law).

139 E. WARM SPRINGS RD.  
LAS VEGAS, NEVADA 89119  
T. 702.380.0007 | F. 702.380.2964

**BRANDON | SMERBER**  
**LAW FIRM**

139 E. WARM SPRINGS RD.  
LAS VEGAS, NEVADA 89119  
T. 702.380.0007 | F. 702.380.2964

**BRANDON | SMERBER**  
**LAW FIRM**

1 It is my understanding that the attachments may be transmitted to the program in any  
2 format and will be converted to a PDF file before service is effected.

3 The undersigned also acknowledges that this Consent does not require service by  
4 electronic means unless the serving party elects to do so.

5 DATED this 14<sup>th</sup> day of February, 2022.

6 **BRANDON | SMERBER LAW FIRM**

7 /s/ Lew Brandon, Jr., Esq.

8 **LEW BRANDON, JR., ESQ.**

9 Nevada Bar No. 5880

10 **ANDREW GUZIK, ESQ.**

11 Nevada Bar No. 12758

12 **HOMERO GONZALEZ, ESQ.**

13 Nevada Bar No. 15231

14 139 East Warm Springs Road

15 Las Vegas, Nevada 89119

16 *Attorneys for Defendant,*

17 *99 CENTS ONLY STORES, LLC*

18 *d/b/a 99 CENTS ONLY*

19 **CERTIFICATE OF SERVICE**

20 Pursuant to Nev. R. Civ. P. 5(b), I certify that on February 14, 2022, I served a true and  
21 correct copy of the foregoing **CONSENT TO SERVICE BY ELECTRONIC MEANS**  
22 **THROUGH E-FILING PROGRAM** through the Court's ECF electronic filing system, upon  
23 the following:

24 **LAWRENCE RUIZ, ESQ.**

25 Nevada Bar No. 11451

26 **RUIZ LAW FIRM**

27 1055 Whitney Ranch Drive, Suite 110

28 Henderson, NV 89014

(702) 850-1717

Facsimile: (702) 850-1716

[lawrence@lmruizlaw.com](mailto:lawrence@lmruizlaw.com)

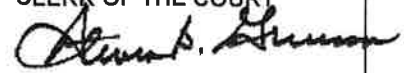
*Attorney for Plaintiff,*

**SYRIAH REGAINS**

/s/ Bonita Alexander

An Employee of BRANDON | SMERBER LAW FIRM

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Steven D. Grierson  
CLERK OF THE COURT



1 **DSST**  
2 **LEW BRANDON, JR., ESQ.**  
3 Nevada Bar No.: 5880  
4 **ANDREW GUZIK, ESQ.**  
5 Nevada Bar No. 12758  
6 **HOMERO GONZALEZ, ESQ.**  
7 Nevada Bar No. 15231  
8 **BRANDON | SMERBER LAW FIRM**  
9 139 East Warm Springs  
10 Las Vegas, Nevada 89119  
11 (702) 380-0007  
12 (702) 380-2964 – *facsimile*  
13 [l.brandon@bsnv.law](mailto:l.brandon@bsnv.law)  
14 [a.guzik@bsnv.law](mailto:a.guzik@bsnv.law)  
15 [h.gonzalez@bsnv.law](mailto:h.gonzalez@bsnv.law)  
16 *Attorneys for Defendant,*  
17 **99 CENTS ONLY STORES, LLC**  
18 *d/b/a 99 CENTS ONLY*

12 **DISTRICT COURT**

13 **CLARK COUNTY, NEVADA**

14 SYRIA REGAINS,

15 Plaintiff,

17 v.

18 99 CENTS ONLY STORES, LLC d/b/a 99  
19 CENTS ONLY, a foreign limited liability  
20 company; DOES I-X, and ROE  
21 CORPORATIONS I-X, inclusive,

21 Defendants.

CASE NO.: A-21-845791-C  
DEPT. NO.: 15

22 **DISCLOSURE STATEMENT PURSUANT TO NRCP 7.1**

23 The undersigned counsel of record for Defendant, 99 CENTS ONLY STORES, LLC,  
24 hereby certifies that to their knowledge, Defendant, 99 CENTS ONLY STORES, LLC, is a  
25 limited liability company with no publicly held company owning ten percent (10%) or more of  
26 99 CENTS ONLY STORES, LLC.  
27

28 ///

139 E. WARM SPRINGS RD.  
LAS VEGAS, NEVADA 89119  
T. 702.380.0007 | F. 702.380.2964

**BRANDON | SMERBER**  
**LAW FIRM**

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**BRANDON | SMERBER**  
**LAW FIRM**

1 There are no other known interested parties other than those identified.

2 DATED this 14<sup>th</sup> day of February, 2022.

3 **BRANDON | SMERBER LAW FIRM**

4 /s/ Lew Brandon, Jr., Esq.

5 **LEW BRANDON, JR., ESQ.**

6 Nevada Bar No. 5880

7 **ANDREW GUZIK, ESQ.**

8 Nevada Bar No. 12758

9 **HOMERO GONZALEZ, ESQ.**

10 Nevada Bar No. 15231

11 139 E. Warm Springs Road

12 Las Vegas, Nevada 89119

13 *Attorneys for Defendant,*

14 *99 CENTS ONLY STORES, LLC*

15 *d/b/a 99 CENTS ONLY*

16 **CERTIFICATE OF SERVICE**

17 I hereby certify that on February 14, 2022, I served a copy of the foregoing  
18 **DISCLOSURE STATEMENT PURSUANT TO NRCP 7.1** through the Court's ECF  
19 electronic filing system, upon the following:

20 **LAWRENCE RUIZ, ESQ.**

21 Nevada Bar No. 11451

22 **RUIZ LAW FIRM**

23 1055 Whitney Ranch Drive, Suite 110

24 Henderson, NV 89014

25 (702) 850-1717

26 Facsimile: (702) 850-1716

27 [lawrence@lmruizlaw.com](mailto:lawrence@lmruizlaw.com)

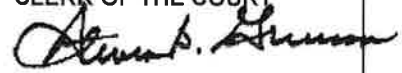
28 *Attorney for Plaintiff,*

*SYRIAH REGAINS*

/s/ Bonita Alexander

An Employee of Brandon | Smerber Law Firm

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1 **REQT**  
2 **LEW BRANDON, JR., ESQ.**  
3 Nevada Bar No.: 5880  
4 **ANDREW GUZIK, ESQ.**  
5 Nevada Bar No. 12758  
6 **HOMERO GONZALEZ, ESQ.**  
7 Nevada Bar No. 15231  
8 **BRANDON | SMERBER LAW FIRM**  
9 139 East Warm Springs  
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11 (702) 380-0007  
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13 *l.brandon@bsnv.law*  
14 *a.guzik@bsnv.law*  
15 *h.gonzalez@bsnv.law*  
16 *Attorneys for Defendant,*  
17 **99 CENTS ONLY STORES, LLC**  
18 *d/b/a 99 CENTS ONLY*

**DISTRICT COURT**

**CLARK COUNTY, NEVADA**

SYRIAH REGAINS,

Plaintiff,

v.

99 CENTS ONLY STORES, LLC d/b/a 99  
CENTS ONLY, a foreign limited liability  
company; DOES I-X, and ROE  
CORPORATIONS I-X, inclusive,

Defendants.

CASE NO.: A-21-845791-C  
DEPT. NO.: 15

**NRCP 16.1(a)(1)(C) REQUEST FOR COMPUTATION OF DAMAGES AND  
DISCLOSURE OF SUPPORTING DOCUMENTS AND NRCP 16.1(a)(1)(A)(iii)  
REQUEST FOR MEDICAL PROVIDER IDENTITY**

Pursuant to NRCP 16.1(a)(1)(C), Defendant, 99 CENTS ONLY STORES, LLC d/b/a 99  
CENTS ONLY, hereby requests that Plaintiff, SYRIAH REGAINS, provide within thirty (30)  
days of this Request, computation of any and all categories of damages claimed by Plaintiff,  
including making available for inspection and copying as under Rule 34, the documents or other

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**BRANDON | SMERBER**  
**LAW FIRM**



1 evidentiary matter not privileged or protected from disclosure on which such computation is  
2 based, including materials bearing on the nature and extent of injuries suffered.

3 DATED this 14<sup>th</sup> day of February, 2022.

4 **BRANDON | SMERBER LAW FIRM**

5 /s/ Lew Brandon, Jr., Esq.

6 **LEW BRANDON, JR., ESQ.**

7 Nevada Bar No. 5880

8 **ANDREW GUZIK, ESQ.**

9 Nevada Bar No. 12758

10 **HOMERO GONZALEZ, ESQ.**

11 Nevada Bar No. 15231

12 139 East Warm Springs Road

13 Las Vegas, Nevada 89119

14 *Attorneys for Defendant,*

15 *99 CENTS ONLY STORES, LLC*

16 *d/b/a 99 CENTS ONLY*

17 **CERTIFICATE OF SERVICE**

18 Pursuant to Nev. R. Civ. P. 5(b), I certify that on February 14, 2022, I served a true and  
19 correct copy of the foregoing **NRCP 16.1(a)(1)(C) REQUEST FOR COMPUTATION OF**  
20 **DAMAGES AND DISCLOSURE OF SUPPORTING DOCUMENTS AND NRCP**  
21 **16.1(a)(1)(A)(iii) REQUEST FOR MEDICAL PROVIDER IDENTITY** through the Court's  
22 ECF electronic filing system, upon the following:

23 **LAWRENCE RUIZ, ESQ.**

24 Nevada Bar No. 11451

25 **RUIZ LAW FIRM**

26 1055 Whitney Ranch Drive, Suite 110

27 Henderson, NV 89014

28 (702) 850-1717

Facsimile: (702) 850-1716

[lawrence@lmruizlaw.com](mailto:lawrence@lmruizlaw.com)

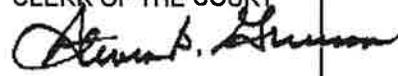
*Attorney for Plaintiff,*

**SYRIAH REGAINS**

/s/ Bonita Alexander

An Employee of BRANDON | SMERBER LAW FIRM

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2/17/2022 10:19 AM  
Steven D. Grierson  
CLERK OF THE COURT



1 REA  
2 LAWRENCE RUIZ, ESQ.  
3 Nevada Bar No. 11451  
4 NICKOLAS GIORGIONE, ESQ.  
5 Nevada Bar No. 14370  
6 RUIZ LAW FIRM  
7 1055 Whitney Ranch Drive, Suite 110  
8 Henderson, NV 89014  
9 Phone: (702) 850.1717  
10 Fax: (702) 850.1716  
11 [lawrence@lmruizlaw.com](mailto:lawrence@lmruizlaw.com)  
12 [nick@lmruizlaw.com](mailto:nick@lmruizlaw.com)  
13 *Attorneys for Plaintiff*

10 DISTRICT COURT  
11 CLARK COUNTY, NEVADA

13 SYRIAH REGAINS,

14 Plaintiff,

15 vs.

16  
17 99 CENTS ONLY STORES, LLC. d/b/a 99  
18 CENTS ONLY, a foreign limited liability  
19 company; DOES I-X; and ROE  
20 CORPORATIONS I-X, inclusive,

Defendants.

Case No.: A-21-845791-C

Dept. No.: 15

PETITION FOR EXEMPTION FROM  
ARBITRATION

21 Plaintiff, SYRIAH REGAINS, by and through her attorneys of record, Lawrence M.  
22 Ruiz, Esq., and Nickolas Giorgione, Esq., of the RUIZ LAW FIRM, hereby requests the above-  
23 captioned matter be exempted from Arbitration pursuant to Nevada Arbitration Rules 3 and 5,  
24 as this case:

- 25 1. \_\_\_\_ Presents a significant issue of public policy.
- 26 2. X Involves an amount in issue in excess of \$50,000 exclusive of interest and  
27 Costs.
- 28 3. \_\_\_\_ Presents unusual circumstances, which constitute good cause for removal

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Henderson, NV 89014  
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 Henderson, NV 89014  
 702.850.1717 / 702.850.1716 (fax)

from the program.

A summary of the facts which support Plaintiff's request for exemption are as follows:

On or about June 6, 2020, in Clark County, Nevada, Ms. Regains was an invited guest on the Defendant's premises, 99 Cents Store, located at 1325 E. Flamingo Road, in Clark County, Las Vegas, Nevada. At said time and place, an employee of the Defendant, while working within the course and scope of their employment with the Defendant, negligently placed a metal cart by the Plaintiff without her knowledge. The Plaintiff tripped and fell over the metal cart, causing her to strike her head on the handle of the cart. Ms. Regains sustained injuries as a result of the slip and fall to include: head injury, concussion, migraines, low back pain and neck pain. Currently, Ms. Regains is still treating.

The following is a list of Ms. Regain's post-injury medical specials incurred to date of which Plaintiff's counsel is aware:

1.	Medic West Ambulance	\$ 1,117.36
2.	Desert Springs Hospital	\$55,237.00
3.	Shadow Emergency Physicians	\$ 1,888.00
4.	Desert Radiology	\$ 3,127.00
5.	Neurology Clinics of Nevada	\$ 2,130.00
6.	Tru Physical Therapy	\$ 200.00
<b>MEDICAL SPECIALS TO DATE</b>		<b>\$63,699.36</b>

Additionally, the Plaintiff's general damages are in an amount well in excess of \$15,000 and will be determined at trial.


As evidenced by the serious and permanent injuries diagnosed by Ms. Regain's healthcare providers, together with the significant medical expenses incurred by Ms. Regain, her case clearly has a probable jury award value well in excess of \$50,000. Accordingly, and pursuant to NAR 3, this matter is appropriately exempted from the Court Annexed Arbitration Program. Further, this request for exemption has been timely filed pursuant to the requirements set forth in NAR 5.

Based upon the foregoing, I hereby certify pursuant to N.R.C.P. 11 this case to be within

1 the exemption marked above, and I am aware of the sanctions which may be imposed against  
2 any attorney or party who without good cause or justification attempts to remove a case from the  
3 arbitration program.

4  
5 DATED this 17 day of February, 2022.

6 RUIZ LAW FIRM

7  
8   
9 NICKOLAS GIORGIONE, ESQ.

10 Nevada Bar No. 14370

11 1055 Whitney Ranch Drive, Suite 110

12 Henderson, NV 89014

13 Attorney for Plaintiff

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RUIZ LAW FIRM  
1055 Whitney Ranch Drive, Suite 110  
Henderson, NV 89014  
702.850.1717 / 702.850.1716 (fax)

**CERTIFICATE OF SERVICE**

Pursuant to NEFCR 9, NRCP 5(b) and EDCR 7.26, I certify that I am an employee of the RUIZ LAW FIRM, and that on this 11 day of February, 2022, I served a copy of the foregoing ***PETITION FOR EXEMPTION FROM ARBITRATION*** through the Eighth Judicial District Courts Electronic Filing system, Odyssey E-filing NV System to the following parties:

Lew Brandon, Jr., Esq.  
Brandon | Smerber Law Firm  
139 East Warm Springs  
Las Vegas, NV 89119  
*Attorney for Defendant*

/s/ Tammy Wagner

An employee of the RUIZ LAW FIRM

***RUIZ LAW FIRM***  
1055 Whitney Ranch Drive, Suite 110  
Henderson, NV 89014  
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